

**Speech-Language Pathology and Audiology Board**

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What Licensees Should Know About SLPAB's Citation and Fine Program

The Citation and Fine Program provides SLPAB with a valuable tool for enforcing the licensing law without suspending or revoking the violator's license. Regulations creating the citation and fine component of SLPAB's enforcement program went into effect in 1991. The regulations were amended in 1996 and again in 2006 to authorize the executive officer to issue citations and fines for unlicensed practice and other minor infractions, and to give broader discretion to fine licensed individuals based on the level of the violation.

HOW THE PROGRAM WORKS

The regulations give SLPAB's executive officer the authority to issue citations and fines ranging from \$100 to \$5,000. Examples of violations range from unlicensed practice, unprofessional conduct, failure to register speech-language pathology or audiology support personnel with the Board, and false or misleading advertising. The fine amounts imposed are relative to the nature and seriousness of the infraction. Extreme penalties, those ranging from \$2501 to \$5000, are imposed for more egregious violations in which one of the following conditions exist: the violation has an immediate relationship to the health and safety of another person, the cited person has a history of two or more prior citations of the same or similar violations, the citation involves multiple violations that demonstrate willful disregard of the law, or the citation involves a violation perpetrated against a minor, a senior citizen or a disabled person.

OFFICE MEDIATION

Prior to issuing a citation, the executive officer shall issue a notice of probable violation and offer the individual an opportunity to resolve the matter through **office mediation**. A request for office mediation must be made within fourteen (14) calendar days after the notice is mailed. Within thirty (30) calendar days from the receipt of such a request, the executive officer will conduct the office mediation with the individual and/or his or her legal authorized representative, either by telephone conference or in person at the Board office. The individual or his or her representative has the **right to request and review copies of all relevant non-privileged documents pertaining to the matter** either prior to, or during, the office mediation. Once the office mediation has been conducted, the executive officer has fourteen (14) calendar days to issue a decision as to whether to proceed with issuing a citation or to offer a settlement agreement to the individual. If a settlement agreement is not offered or reached and the executive officer decides to go forward with a formal citation, the person cited shall retain the right to request a **formal hearing** under the Administrative Procedures Act.

WHEN A CITATION IS ISSUED

When the executive officer issues a **citation**, the citation document shall state the section of the law violated and describe the alleged violation. The citation is accompanied by an **order of abatement**, putting the licensee on notice that he or she must cease conducting the activity constituting the violation.

COMING INTO COMPLIANCE

Each citation order sets forth a specific time period in which a violator must establish compliance with the law cited. In situations where circumstances beyond the control of the individual cited do not permit correction, an extension of time may be requested. However, any request for an extension of time must be submitted in writing, within the time period set forth on the citation order.

**INQUIRIES ON THIS PROGRAM SHOULD BE DIRECTED TO THE BOARD
OFFICE.**